S.B. CIVIL WRIT PETITION NO.3264/2001

Priyanka Beniwal Vs. State of Raj. and others.

Date : 6.4.2005

HON'BLE MR. PRAKASH TATIA, J.

Mr. S.P. Sharma, for the petitioner.
Mr. Manish Shishodia, for the respondents.

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Heard learned counsel for the parties.

Learned counsel for the petitioner submits that the petitioner did not receive the roll number till the date of examination and she received the roll number only at 4:15 P.M. and she was permitted to take examination of English objective test by giving roll number 1980004. On the next day, the petitioner was given new roll number 1951574. The petitioner took examination on this roll number for English Main subject. On 3rd day, the petitioner was allotted yet another roll number 1980005. The petitioner tried to get her result through inter-net and when she gave her roll number as 1980005, the petitioner found that no result was available for this roll number. The computer disclosed that such roll number is not existing. Thereafter, the petitioner received a marks-sheet (Annex.6) from the Board of Secondary Education which is not a computer generated marks-sheet but appears to be a duplicate marks-sheet. The petitioner obtained the marks-sheet from the inter-net for roll number 1951574, she found that she has been given 90

marks in paper English whereas for all other subjects, she has been shown as an absentee. In these facts and circumstances, the petitioner developed a reasonable doubt about the correctness of her result.

Learned counsel for the petitioner submitted that it appears that the petitioner's answer-books have not been taken into account while preparing the result and because of the mistake of the Board, result must have been manipulated to save the Board.

Learned counsel appearing on behalf of the Board placed before this Court for perusal the answer-books of English objective and main written papers. Learned counsel for the Board submitted that the marks which were obtained by the petitioner irrespective of the roll number under which she submitted her answer books, have been taken into account while preparing the final result.

Since both the marks-sheets have been placed before this Court and it is found that the total marks as obtained in the objective and main written papers have been awarded in the final marks-sheet, therefore, nothing survives in this writ petition.

So far as contention of the petitioner regarding not issuing computer generated marks-sheet is concerned, I do not find any force because of the fact that the Board must have its own software for generating the marks-sheet and

there must not have been any provision for clubbing the marks of different roll numbers as this eventuality could not have been taken note of by the Board at the time of getting software prepared as it cannot be regular process. As such, the Board must have prepared marks-sheet manually for the petitioner as a special case.

In view of the above discussion, I do not find any merit in this case and the same is hereby dismissed.

(PRAKASH TATIA), J.

S.Phophaliya